

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

**MICHELLE BOURDELAIS,**

**Plaintiff,**

**v.**

**JPMORGAN CHASE BANK, N.A.  
and CHASE HOME FINANCE, LLC,**

**Defendants.**

**Civil Action No. 03:10-cv-670 (HEH)**

**DEFENDANT’S MOTION TO DISMISS COUNTS ONE, FIVE, AND SIX**

Defendant JPMorgan Chase Bank, N.A. (“Chase”),<sup>1</sup> by counsel, pursuant to Fed. R. Civ. P. 12(b)(6), moves for entry of an order dismissing Counts One, Five, and Six in plaintiff’s Fourth Amended Complaint, for the reasons set forth in the accompanying memorandum in support filed simultaneously herewith.

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<sup>1</sup> Plaintiff named Chase Home Finance, LLC as a defendant in this action. On May 1, 2011, however, Chase Home Finance, LLC merged into JPMorgan Chase Bank, N.A., and as a result, Chase Home Finance, LLC ceased to exist as a legal entity.

WHEREFORE, defendant Chase, by counsel, respectfully requests that the Court: (1) grant its motion to dismiss; (2) dismiss Counts One, Five, and Six in plaintiff's Fourth Amended Complaint; (3) award Chase its costs and expenses incurred herein; and (4) award Chase such further relief as the Court deems appropriate.

Dated: September 5, 2012

Respectfully submitted,

**JPMORGAN CHASE BANK, N.A.**

By: /s/ David N. Anthony

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 5th day of September, 2012, I electronically filed the foregoing Defendant's Motion to Dismiss Counts One, Five, and Six with the Clerk of the Court using the CM/ECF System which will then send a notification of such filing (NEF) to the following

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